

DECL

DISTRICT COURT

CLARK COUNTY, NEVADA

DIINELE DINAALI, an individual,	)	Case No.: A-26-949658-C
	)	Dept. No.: XXV
Plaintiff,	)	
	)	
vs.	)	
	)	
CELLCO PARTNERSHIP d/b/a VERIZON	)	.
WIRELESS, A Delaware Partnership;	)	
CELLULAR SALES OF KNOXVILLE, INC.,	)	
d/b/a CELLULAR SALES, A Tennessee	)	
Corporation; DION MORROW, an individual;	)	
DOES 1 THROUGH 10; ROE	)	
CORPORATIONS 1 THROUGH 10, inclusive,	)	
	)	
Defendants.	)	

DECLARATION OF KATHLEEN E. DELANEY
IN RESPONSE TO MOTION TO DISQUALIFY JUDGE

1. Your declarant is Kathleen E. Delaney, District Court Judge in Department XXV of the Eighth Judicial District Court. I have personal knowledge of all matters stated herein and am competent to testify to the matters set forth herein.

2. Although not yet officially served, I am aware of the filing made by Plaintiff on August 10, 2026 in the above-referenced case, which matter is styled "Motion to Disqualify Judge Kathleen E. Delaney for Cause Pursuant to NRS 1.235, NRS 1.230, and the Nevada Code of Judicial Conduct" ("Motion to Disqualify") [Dkt. 49], and I have chosen to file this response at this time to ensure the matter may be addressed by the Chief Judge on or before the next hearing date set in this matter of September 15, 2026.

3. By way of the Motion to Disqualify," Plaintiff alleges that my disqualification is "warranted for actual bias, implied bias, structural conflict of interest, and severe judicial misconduct that compromises the appearance and reality of judicial neutrality." See Dkt. 49 at 3:7-8. The only

1 specific reasons that appear to be given for these assertions, however, are the following: (1) “a series
2 of erratic and biased rulings,” and (2) “the presiding judge formerly served as a Deputy Attorney
3 General within the Bureau of Consumer Protection.” I will address each in turn.

4 4. The instant matter was only reassigned to me on July 27, 2026, following the recusal
5 of Judge Joanna Kishner. *See* Notice of Department Reassignment [Dkt. 26] at 1:9-10. The only
6 actions I have taken in this litigation to date were to sign an Order Shortening Time for the hearing of
7 Defendant Cellular Services of Knoxville, Inc. Motion to Set Aside Default (“Defendant’s Motion to
8 Set Aside Default”) [Dkt. 34], which Plaintiff has since agreed to, and to post and serve a Minute
9 Order on August 10, 2026, the same day Plaintiff filed the Motion to Disqualify.
10

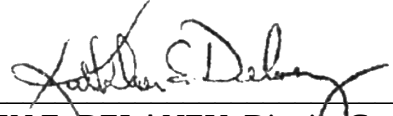
11 5. In the Minute Order, the Court granted in part and denied in part Plaintiff’s matter
12 styled Emergency Motion to Consolidate Hearings, Vacate Moot Hearings, Set Motion for
13 Terminating Sanctions, and Request for Voluntary Dismissal (“Motion to Consolidate”) [Dkt. 45].
14 The Minute Order specifically reflected both parties’ requests that the Default [Dkt. 27] in question
15 be set aside and required the Defendant to file an answer or other responsive pleading in accordance
16 with the applicable rules. The only relief sought by Plaintiff that was not granted by the Court in the
17 Minute Order was the request for one of the consolidated matters to be heard earlier than presently
18 scheduled and the request that the Court voluntarily recuse itself for grounds otherwise belied by the
19 record and/or actually addressed in the Minute Order. *See* Dkt. 45 at 6-21.
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22 6. I did formerly serve with the Attorney General’s Bureau of Consumer Protection from
23 2001 to 2008, prior to my election to my current office. During my tenure, my duties included the
24 bringing of criminal, civil and/or administrative actions against businesses alleged to have violated
25 the law, including but not limited to the provisions of Nevada Deceptive Trade Practices Act. To my
26 knowledge, I did not handle any matters involving any of the litigants proceeding in the instant action.
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1 7. Contrary to Plaintiff's assertions, I do not now have, nor have I ever had, any bias or
2 prejudice or other partiality for or against Plaintiff, the Defendants, or any persons related to Plaintiff
3 or Defendants, in the subject case or any other case involving these same or similar parties or counsel,
4 which in any way affects my ability to be a fair and impartial judge going forward in the matter. I
5 also do not believe there is any basis in the record, or in fact, for a finding of implicit bias or prejudice,
6 such that disqualification would be warranted.
7

8 I declare under penalty of perjury under the laws of the State of Nevada (NRS 53.045)¹, that
9 the foregoing is true and correct.

Dated this 11th day of August, 2026

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11 
12 KATHLEEN E. DELANEY, District Court Judge

13 **ECB 3D9 BD53 F64F**
14 **Kathleen E. Delaney**
15 **District Court Judge**
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27 ¹ **NRS 53.045** Use of unsworn declaration in lieu of affidavit or other sworn declaration. Any matter whose
28 existence or truth may be established by an affidavit or other sworn declaration may be established with the same
effect by an unsworn declaration of its existence or truth signed by the declarant under penalty of perjury, and
dated, in substantially the prescribed form.

CERTIFICATE OF SERVICE

I hereby certify that on or about the date e-filed, I caused a copy of the foregoing
**DECLARATION OF KATHLEEN E. DELANEY IN RESPONSE TO MOTION TO
DISQUALIFY JUDGE** to be electronically served on the following:

Hon. Tierra Jones, Chief Judge
Eighth Judicial District Court
Department X

Diinele Dinaali
Plaintiff in Proper Person

Leonard T. Fink, Esq.
Springel & Fink LLP
Attorneys for Cellco Partnership and Dion Morrow

Ryan J. Works, Esq.
Jonah Gavish, Esq.
McDonald Carano LLP
Attorneys for Cellular Services of Knoxville, Inc.

A copy of the foregoing Order was also:

☒ Served by U.S. Mail, postage prepaid thereon, to the person(s) listed below:

Diinele Dinaali
4200 Paradise Road, Apt. 2028
Las Vegas, Nevada 89169

/s/ Marwanda Knight
Marwanda Knight
Judicial Executive Assistant

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Diinele Dinaali, Plaintiff(s) CASE NO: A-26-949658-C
7 vs. DEPT. NO. Department 25
8 Cellco Partnership, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Declaration was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/11/2026

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